



AF/1631
PATENT ~~16~~

ATTORNEY DOCKET NO. 056100-5027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Se-Jin LEE)
)
Application No.: 08/966,233)
)
Filed: November 7, 1997)
)
For: GDF-1 GENE)

Group Art Unit: 1631

Examiner: M. P. Allen

Commissioner for Patents
Washington, D.C. 20231

RECEIVED
MAY 19 2003
TECH CENTER 1600/2900

AF/1631
Plunkett
5/22/03

Sir:

APPEAL BRIEF TRANSMITTAL FORM

1. Transmitted herewith is an Appeal Brief submitted in triplicate with Exhibits A-H responding to the Office Action dated April 1, 2003. A one-month extension of time is provided below, thus this response is timely filed prior to June 1, 2003.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

[] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

[X] Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[X] one month	\$ 110.00	\$ 55.00
[] two months	\$ 410.00	\$205.00
[] three months	\$ 930.00	\$465.00
[] four months	\$1,450.00	\$725.00

Extension of time fee due with this request: **\$55.00**

05/16/2003 MARKED1 00000033 500310 08966233

05 05:251 55.00 CH

If an additional extension of time is required, please consider this a Petition therefor.

3. **Fee Payment**

- [X] The Commissioner is hereby authorized to charge deposit account no. 50-0310 in the amount of:

Appeal Brief Fee	\$ 160.00
Two-month extension of time	<u>55.00</u>
	<u>\$ 215.00</u>

4. **Constructive Petition**

- [X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: **May 14, 2003**

By:

Bonnie Weiss McLeod
Bonnie Weiss McLeod
Reg. No. 43,255

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave., NW
Washington, D.C. 20004
202-739-3000
202-739-3001